

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SHARONDA BELL,

Plaintiff,

v.

ADDUS HEALTHCARE, INC., a foreign
corporation,

Defendant.

Case No. C06-5188RJB

ORDER

This matter comes before the court on Defendant's Motion for Order Directing Additional Status Conference (Dkt. 72). The court is familiar with the records and files herein.

The undersigned Judge does not know whether to be sad or angry at the lack of progress in this case.

Some court background is appropriate. Federal Rule of Civil Procedure 16 and Western District of Washington Local Rule 16 call upon the court to take early control over cases to promptly set case schedules and move the case along towards disposition. For over twenty years, this judge has been using an Order for Joint Status report shortly after the cases is filed, which directs the parties to file a Joint Status Report and tells them what that report should contain. The report is filed, and the court sets an appropriate scheduling order. In this case, such an order was issued by Magistrate Judge Strombom in Docket No. 2 "Minute Order Regarding Initial Disclosures, Joint Status Report and Early Settlement."

1 For reasons unknown to the court, that order has not been complied with in regard to the filing of a Joint
2 Status Report, even in spite of a conference with counsel and a second order, issued on December 1 by the
3 undersigned as Docket No. 69, which required that “not later than December 15, 2006, the parties are
4 ordered to file a Joint Status Report, that includes a proposed discovery plan and proposed scheduling for
5 filing motions related to jurisdiction and class certification.”

6 The court’s process, in seeking and securing Joint Status Reports and scheduling cases based on
7 the contents of those reports, has stood the test of time. Hundreds and hundreds of such reports have been
8 filed without incident, and the cases have been scheduled based on those reports and have moved with
9 reasonable speed through the court’s calendar.

10 In this case, months have been lost since on filing April 10, 2006, because of an unwillingness or
11 inability to follow the court’s directions. The efforts made at filing a Joint Status Report have been totally
12 unacceptable. Plaintiff’s proposed reports do not follow the format set out in Judge Strombom’s order,
13 nor are they timely. Plaintiff has inserted a great deal of legal argument and gobbledy-gook in his proposed
14 orders that have nothing to do with the format set forward in Judge Strombom’s order, and do not assist
15 the court in setting an appropriate schedule for disposition of this case.

16 The court is not interested in emails and correspondence between counsel; the preparation of the
17 requested Joint Status Report does not require a further meeting with counsel, nor is the court interested in
18 surreplies wrongly identified as declarations, as contained in Docket No. 83.

19 This sorry situation should be resolved by the plaintiff forthwith and not later than January 31,
20 2007, by delivering to defendant a proposed Joint Status Report and Discovery Plan in proper form. If the
21 parties cannot agree on the contents, defendant may, as is reflected in Judge Strombom’s order (Dkt. 2),
22 answer in separate paragraphs on or before February 7, 2007. The court will consider this matter further
23 on February 9, 2007.

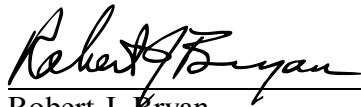
24 Plaintiff should understand that further failure to comply with the court’s orders may result in
25 sanctions, including dismissal.

1 Therefore, it is now

2 **ORDERED** that Defendant's Motion for Order Directing Additional Status Conference (Dkt. 72)
3 is **DENIED**, and that portion of the motion requesting sanctions is **DENIED WITHOUT PREJUDICE**.
4 It is further **ORDERED** that the parties shall comply with the orders requiring a Joint Status Report,
5 including a proposed discovery plan and a proposed schedule for filing motions related to class
6 certification, as directed above.

7 The Clerk is directed to send uncertified copies of this Order to all counsel of record via CM/ECF
8 and to any party appearing *pro se* at said party's last known address via the U.S. Mail.

9 DATED this 26th day of January, 2007.

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12 Robert J. Bryan
13 United States District Judge
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